

REFERENCE TITLE: initiatives; publicity pamphlet submittals

State of Arizona
Senate
Forty-ninth Legislature
First Regular Session
2009

SB 1245

Introduced by
Senator Paton

AN ACT

AMENDING SECTION 19-124, ARIZONA REVISED STATUTES; RELATING TO INITIATIVE AND REFERENDUM; PROVIDING FOR CONDITIONAL ENACTMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 19-124, Arizona Revised Statutes, is amended to
3 read:

4 19-124. Arguments and analyses on measures; cost; submission at
5 special election

6 A. The person filing an initiative petition may at the same time file
7 with the secretary of state an argument advocating the measure or
8 constitutional amendment proposed in the petition. Not later than
9 ~~fifty-three~~ NINETY days preceding the regular primary election a person may
10 file with the secretary of state an argument advocating or opposing the
11 measure or constitutional amendment proposed in the petition. Not later than
12 ~~fifty-three~~ NINETY days preceding the regular primary election a person may
13 file with the secretary of state an argument advocating or opposing any
14 measure with respect to which the referendum has been invoked, or any measure
15 or constitutional amendment referred by the legislature. Each argument filed
16 shall contain the original notarized signature of each person sponsoring it.
17 If the argument is sponsored by an organization, it shall contain the
18 notarized signature of two executive officers of the organization or if
19 sponsored by a political committee it shall contain the notarized signature
20 of the committee's chairman or treasurer. Payment of the deposit required by
21 subsection D or reimbursement of the payor constitutes sponsorship of the
22 argument for purposes of this subsection. The person or persons signing the
23 argument shall identify themselves by giving their residence or post office
24 address and a telephone number, which information shall not appear in the
25 publicity pamphlet. Each argument filed pursuant to this subsection shall
26 not exceed three hundred words in length.

27 B. Not later than ~~sixty~~ NINETY days preceding the regular primary
28 election the legislative council, after providing reasonable opportunity for
29 comments by all legislators, shall prepare and file with the secretary of
30 state an impartial analysis of the provisions of each ballot proposal of a
31 measure or proposed amendment. The analysis shall include a description of
32 the measure and shall be written in clear and concise terms avoiding
33 technical terms wherever possible. The analysis may contain background
34 information, including the effect of the measure on existing law, or any
35 legislative enactment suspended by referendum, if the measure or referendum
36 is approved or rejected.

37 C. The analyses and arguments shall be included in the publicity
38 pamphlet immediately following the measure or amendment to which they refer.
39 Arguments in the affirmative shall be placed first in order, and first among
40 the affirmative or negative arguments shall be placed the arguments filed by
41 the person filing the initiative petition or the person who introduced the
42 measure or constitutional amendment referred. The remaining affirmative and
43 negative arguments shall be placed in the order in which they were filed with
44 the secretary of state.

1 D. The person filing an argument shall deposit with the secretary of
2 state, at the time of filing, an amount of money as prescribed by the
3 secretary of state for the purpose of offsetting a portion of the
4 proportionate cost of the purchase of the paper and the printing of the
5 argument. If the person filing an argument requests that the argument appear
6 in connection with more than one proposition, a deposit shall be made for
7 each placement requested. No such deposit or payment shall be required for
8 the analyses prepared and filed by the legislative council. Any proportional
9 balance remaining of the deposit, after paying the cost, shall be returned to
10 the depositor.

11 E. When a measure is submitted at a special election, and time will
12 not permit full compliance with this article, the charter provision or
13 ordinance providing for the special election shall make provision for
14 printing and distribution of the publicity pamphlet.

15 F. In the case of referendum petitions that are not required to be
16 filed until after the primary election or at a time so close to the primary
17 election that a referendum cannot be certified for the ballot before the
18 deadline for filing ballot arguments pursuant to subsection A, the secretary
19 of state may establish a separate deadline for filing the referendum ballot
20 arguments pursuant to rules adopted by the secretary of state.

21 Sec. 2. Conditional enactment

22 This act does not become effective unless the Constitution of Arizona
23 is amended by vote of the people at the next general election to change the
24 filing date for initiative petitions to not less than five months preceding
25 the date of the election.